

REMARKS

Reconsideration and allowance in view of the above amendments and following remarks and arguments is respectfully requested.

Applicants thank Examiner Aggarwal for the courtesies extended to Applicants' representatives during the November 6, 2009 personal interview. The substance of the interview is incorporated into the remarks below.

Claims 8-10, 13 and 14 are pending in this application. By this Amendment, claims 8 and 13 are amended,

Priority

Applicants request that acknowledgement be made of the priority claimed in the application.

Claim Rejections under 35 USC 103(a)

Claims 8-10 and 13 stand rejected under 35 U.S.C. § 103(a) over Hua et al. (U.S. Patent No. 7,142,240) in view of Guidash (U.S. PG-PUB No. 2005/0045980).

Claim 14 is rejected under 35 USC 103(a) as being unpatentable over Hua in view of Guidash, Raynor et al. (U.S. PG-PUB No. 20020114025) and Arques (U.S. Patent No. 4,957,659).

In the Personal Interview held November 6, 2009, Examiner Aggarwal indicated that amending independent claim 8 to define wherein $\alpha > 1$ would overcome the art of record, (see Interview Summary indicating that "if claim 8 was amended to include $\alpha > 1$, it would overcome the prior art of record"). Based upon the Examiner's indication, independent claim 8 is amended more clearly recite the claimed subject matter and to define α as > 1 .

Accordingly, based upon the above amendment, amended independent claim 8 is believed patentable over all allowable combinations of the applied references. Claims 9-10 and 13-14 depend from independent claim 8 and are likewise patentable over the prior art of record at least for their dependence on claim 8.

Withdrawal of the rejection of claim 8-10 and 13-14 is respectfully solicited.

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited. Early issuance of a Notice of Allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicants' attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN HAM & BERNER, LLP



Kenneth M. Berner
Registration No. 37,093

1700 Diagonal Road, Suite 300
Alexandria, Virginia 22314
(703) 684-1111
(703) 518-5499 Facsimile
Date: November 9, 2009
KMB/TC/ERM/ser